

**REQUEST FOR PROPOSAL – IDOE 2**  
**SECTION ONE**  
**GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES**

**1.1 INTRODUCTION**

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Department of Education, requires technology-based supplemental instruction for the Title I, Part C Migrant Education Program (MEP). It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document. This RFP is being posted to the IDOA website (<http://www.IN.gov/idoa/2354.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither this RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

**1.2 DEFINITIONS AND ABBREVIATIONS**

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

Academic Standard	A broad content statement of what an individual should know and be able to do relative to a particular area of study. (e.g., Computation).
Assessment	A tool designed to measure the progress of one or more students in a class, grade, school, and/or district with regard to mastering the Indiana Academic Standards.
English Language Development	Required instructional services for English language learner students to develop oral and written academic English language proficiency (vocabulary, grammar, and language structure) across the domains of listening, speaking, reading and writing delivered by qualified staff through in-class (push-in), pull-out, or scheduled courses.
English Language Learner (ELL)	A student whose native language is other than English classified as Level 1-4, limited English proficient, or Level 5, fluent English proficient, based on the LAS Links English proficiency assessment.
FERPA	Family Educational Rights and Privacy Act.

Full Time Equivalent (FTE)	The State defines FTE as a measurement of an employee's productivity on a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE.
IAC	The Indiana Administrative Code.
IC	The Indiana Code.
Implementation	The successful implementation of the services specified by the Indiana Department of Education in the contract resulting from this RFP.
Installation	The delivery and physical setup of products or services requested in this RFP.
ISTEP+	Indiana Statewide Testing for Educational Progress-Plus, Indiana's statewide academic assessment program. ISTEP+ assessments are currently administered in the spring of the school year at grades 3 through 8 in English/language arts and mathematics, at grades 4 and 6 in science, and at grades 5 and 7 in social studies. ISTEP+ also includes assessments in Algebra I, English 10, and Biology I.
Limited English Proficient (LEP)	English Language Learner (ELL) students at English proficiency Level 1-4 who are in the process of developing academic language proficiency.
Migrant	Children ages 3-21 that have not yet graduated from high school who have moved (alone, with or to join a parent, spouse, or guardian) across school district lines in the last 36 months for the purpose of obtaining qualifying seasonal or temporary agricultural work.
Other Governmental Body	An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: (1) The judicial branch. (2) The legislative branch. (3) A political subdivision (includes towns, cities, local governments, etc.) (4) A state educational institution
Products	Tangible goods or manufactured items as specified in this RFP.

Proposal	An offer as defined in IC 5-22-2-17.
Respondent	An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the Respondent who will be ultimately responsible for performance of the contract.
Services	Work to be performed as specified in this RFP.
State	The State of Indiana
State Agency	As defined in IC 4-13-1, “state agency” means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government.
Technology	Delivered via a computer.
Title I, Part C	Federal Migrant Education Program (MEP) of the Elementary and Secondary Education Act, as amended by the <i>No Child Left Behind Act of 2001</i> , designed to support migrant students in reaching challenging academic standards and graduate from high school (or complete a GED) that prepares them for responsible citizenship, further learning, or productive employment.
Vendor	Any successful Respondent selected as a result of the procurement process to deliver the products or services requested by this RFP.

### 1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select a vendor that can satisfy the State’s need to provide eligible migrant students with technology-based supplemental educational support at home including provision of hardware and software, regional training on program usage and content, evaluation of students’ progress, and culturally and linguistically appropriate support for users. It is the intent of the Indiana Department of Education to contract with a vendor that can provide high quality technology-based supplemental instruction for migrant students in the Title I, Part C Migrant Education Program.

### 1.4 SUMMARY SCOPE OF WORK

The IDOA, acting on behalf of the IDOE, requires assistance in implementing a technology-based supplemental instruction plan to help increase migrant student academic outcomes. It is the vision of the Indiana Department of Education that the academic achievement and career preparation of all Indiana students will be the best in

the United States and on par with the most competitive countries in the world. In order to achieve its vision, the Indiana Department of Education has created an Action Plan to:

- Create and promote a statewide culture of academic excellence;
- Free Indiana schools from unnecessary regulations and eliminate other barriers to developing new and innovative structures for learning;
- Improve instructional quality and enhance school governance and leadership;
- Develop learning support systems that facilitate academic achievement and career preparation;
- Establish high and clear standards for success, keep score, and ensure that resulting school accountability is transparent to the public; and
- Provide exceptional customer service while operating with optimal efficiency and aligning all available resources around student learning.

The Title I, Part C Migrant Education Program purpose is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment. As of 2008-09, 46% of Indiana's eligible migrant students had their last qualifying move within the past twelve months. Another 28% had their last qualifying move within the past thirteen to twenty four months. Because of their mobility, migrant students often face a lack of educational continuity which impacts their academic achievement and which is exacerbated by other factors including poverty and, in some cases, limited English proficiency and limited parental support in the home. Indiana's migrant student population is 98% Hispanic and their families work in the planting and harvesting a variety of crops including tomato, corn, and soybean. Some migrant students arrive in Indiana seasonally from other states, such as Texas, with the 51% of migrant students arriving in July. Other migrant students consider Indiana their home-base and have begun to settle into Indiana communities.

Based on the 2008 ISTEP+ Disaggregation Summary Report, of the migrant students enrolled in school during the fall Indiana Statewide Testing of Educational Progress Plus (ISTEP+) assessment window, overall passing percentages of migrant students were lower than the state averages with a greater disparity of scores in English/Language Arts than in mathematics. In English/Language Arts, 35% of migrant students tested passed compared to 71.5% of Overall students. In mathematics, 43% of migrant students passed compared to 76% of Overall students. This lack of academic success is attributed to factors including lack of educational continuity, high mobility, poverty and limited English proficiency.

The Title I, Part C MEP conducts an on-going Comprehensive Needs Assessment (CNA) to identify the needs of migrant students and develop action steps and solutions to meet those needs in the goal areas of school readiness, reading achievement, mathematics achievement, and high school graduation. Within each goal area, areas of concern are evaluated including: educational continuity, instructional time, school engagement, English language development, educational support in the home, health, and access to services. Through the Comprehensive Needs Assessment (CNA) process, it has been determined that migrant students have the following needs:

- provision of supplemental English/language arts content area instruction and remediation to improve understanding and performance on Indiana Statewide Testing of Educational Progress Plus (ISTEP+) in English/language arts;
- access to appropriate English language development instruction to attain academic language proficiency across the language domains (listening, speaking, reading, writing, and comprehension);
- access to educational resources in the home including appropriate reading materials, and parental involvement/support of education; and
- access to technology within the home to support learning

The goal of this RFP is to meet the Indiana Department of Education's goals and priorities set forth in the Action Plan, which align to the purpose of the Title I, Part C Migrant Education Program, to ensure increased academic achievement and graduation through the provision of technology-based supplemental instruction, for use in the home, which includes reinforcing English/language arts and literacy skills aligned to the Indiana Academic Standards in phonemic awareness, vocabulary development, reading comprehension, listening comprehension, writing applications, and writing conventions; and technology literacy development; English language development instruction to attain academic language proficiency across the language domains (listening, speaking, reading, writing, and comprehension); and access to educational resources and technology in the home including appropriate reading materials.

The approximately 250 netbooks with integrated internet access will be provided to children in approximately fourteen districts identified by the IDOE. Internet filtering will also be included to safeguard the participants. Assessment criteria will be used to track student progress. Additionally, support will be available for users needing assistance with the technology.

It is the expectation of the Indiana Department of Education that after a training session for parents and students on hardware/software usage and an orientation to the program content, the vendor will furnish eligible K-8 migrant students with hardware and software, preferably in a netbook format, to be used in the home as a supplemental instructional opportunity to build content area skills and support English language development; and provide on-going evaluation of students' progress. The vendor must ensure secure, individual access for all participating students. It is estimated that 250 migrant students from approximately fifteen school corporations will participate in this project. The technology-based plan must be externally hosted outside of the Indiana Department of Education. The selected vendor will be held to high expectations and accountability. To be selected, the vendor must demonstrate how the proposed intervention plan effectively leads to student academic achievement, as evidenced by scientifically-based research. In order to meet the varying needs of students in Indiana, it is expected that the vendor's proposal will provide individualized instruction and will appropriately align to Indiana's Academic Standards. Furthermore, the selected vendor's proposal must have the capability to produce administrative reports that depict aggregated, as well as individual, student progress. Vendors with the capacity to meet the needs of Indiana by providing high-quality services that lead to improved student

academic achievement are invited to submit a proposal for the scope of work indicated above. Listed below is a general outline for this scope of work, designated to aid vendors with proposal submissions. Proposals to provide technology-based supplemental instruction for migrant students must consist of the following components:

- Student information security;
- Appropriate English language development and English/language arts and literacy development;
- Connections to Indiana Academic Standards;
- Scientifically based strategies and methodologies;
- Student assessments to measure progress;
- Vendor's capacity to serve migrant students throughout Indiana;
- Compliance with FERPA;
- Training for students and parents; and
- Reporting of student progress to the Indiana Department of Education.

The selected vendor will be asked to place a copy of the source code in escrow in order to allow the State to continue to maintain the application in the event that the selected vendor's company goes out of business.

Indiana will consider any proposal(s) for such services through this RFP process, with the expectation that the vendor(s) provide plans that address all the requirements set forth in this RFP.

## 1.5 RFP OUTLINE

The outline of this RFP document is described below:

<b>Section</b>	<b>Description</b>
Section 1 – General Information and Requested Products or Services	This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP
Section 2 – Proposal Preparation Instruction	This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal
Section 3 – Proposal Evaluation Criteria	This sections discusses the evaluation criteria to be used to evaluate respondents' proposals
Attachment A	Sample Contract
Attachment B	RFP Subcontractor Commitment Form M/WBE Participation Plan Form
Attachment C	Indiana Economic Impact Form

## 1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on August 10, 2010, no exceptions will be made.**

Questions/Inquiries may be submitted via email to Linda Cummins at [cummins@doe.in.gov](mailto:cummins@doe.in.gov) and must be received by August 10, 2010 as outlined in section 1.23.

Following the question/inquiry due date, IDOE personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOE website according to the RFP timetable established in Section 1.23. The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOE website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOE website. If such addenda issuance is necessary, the IDOE may extend the due date and time of proposals to accommodate such additional information requirements, if required.

## 1.7 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Indiana Department of Education no later than **3:00 p.m. Eastern Time on August 20, 2010, no exceptions will be made.** Each Respondent must submit **one original hard-copy** (marked "Original") and **one original CD-ROM (marked "Original")** and **two (2) complete copies on CD-ROM** of the proposal, including the Transmittal Letter and other related documentation as required in this RFP. The **original CD-ROM** will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response may be posted on the IDOE website if recommended for selection.** Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Indiana Department of Education  
Attention: Linda Cummins  
151 W. Ohio Street  
Indianapolis, IN 46204

### **If you hand-deliver solicitation responses:**

All visitors to the Indiana Department of Education must present photo identification and

register as a visitor. The office is located at 151 West Ohio Street, and office hours are 8:00 a.m. to 4:30 p.m. Eastern Time.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

**All proposals submitted to the State should be double-sided and printed on 30% post-consumer recycled content paper or tree-free paper. When possible, soy ink should be used.**

#### 1.8 PRE-PROPOSAL CONFERENCE

It is the decision of the State that no pre-proposal conference is required for this RFP.

#### 1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format described in Section 1.6 and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before IDOE will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received after the exact hour and date specified for receipt of proposals will not be considered.

#### 1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date.

Please refer to the Cost Proposal sub-section under Section Two for a detailed discussion of the proposal pricing format and requirements.

#### 1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is



not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The IDOE will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment A. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

#### 1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

#### 1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

#### 1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of one (1) year from the date of contract execution. There may be (1) one year renewals for a total of two (2) years at the State's option.

#### 1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must place all confidential documents (including the requisite number of copies) in a sealed

envelope clearly marked “Confidential” and must indicate in the Transmittal Letter and on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the IDOE will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

#### 1.16 TAXES

Proposals should not include any tax from which the State is exempt.

#### 1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to [www.in.gov/idoa/2464.htm](http://www.in.gov/idoa/2464.htm) .

#### 1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana  
Corporation Division  
402 West Washington Street, E018  
Indianapolis, IN 46204  
(317) 232-6576  
[www.in.gov/sos](http://www.in.gov/sos)

#### 1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to offset such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

## 1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, it has been determined that there is a reasonable expectation of minority and woman business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8% for Minority Business Enterprises and 8% for Woman Business Enterprises have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5.

Failure to meet these requirements will affect the evaluation of your proposal.

## 1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a MWBE Subcontractor Commitment Form (Attachment B). The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>. If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the MWBE Subcontractor Commitment Form.

Respondents are encouraged to contact and work with MWBED at 317-232-3061 to design a subcontractor commitment to meet established goals as referenced in this solicitation.

**Prime Contractors must ensure that the proposed subcontractors meet the following criteria:**

- Must be listed on the IDOA Directory of Certified Firms
- Each firm may only serve as once classification – MBE or WBE
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- Must serve a commercially useful function. The firm must serve a value-added purpose on the engagement.
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract
- National Corporate Diversity Plans are generally not acceptable

## **MINORITY & WOMEN’S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT**

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract amount, a description of products and/or services to be provided on this project and approximate date the subcontractor will perform work on this contract. The State will deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State’s M/WBE Program. Questions involving the regulations governing the MWBE Subcontractor Commitment Form should be directed to: Minority and Women’s Business Enterprises Division at (317) 232-3061 or [mwbe@idoa.in.gov](mailto:mwbe@idoa.in.gov).

### **1.22 AMERICANS WITH DISABILITIES ACT**

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

### **1.23 SUMMARY OF MILESTONES**

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team’s findings.

#### ***Key RFP Dates:***

<b>Activity</b>	<b>Date</b>
Issue of RFP	August 4, 2010
Deadline to Submit Written Questions	August 10, 2010
Response to Written Questions/RFP Amendments	August 13, 2010
Submission of Proposals	August 20, 2010

<i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i>	
Proposal Evaluation	August 27, 2010
Proposal Discussions/Clarifications (if necessary)	September 17, 2010
Oral Presentations (if necessary)	September 22-24, 2010
Final Selection of vendor	September 27, 2010
Contract Award	October 29, 2010

A more detailed summary of the RFP timeline is anticipated as follows:

Issue RFP	August 4, 2010
Closing Date for Receipt of Bid proposals	August 20, 2010
Complete the evaluation of bid proposals and select a vendor	September 27, 2010
Completion of Contract Negotiations & Begin Contract Process	November 15, 2010
Completion of Contract Process	October 29, 2010
Program planning	Nov 2010 – Mar 2011
Implementation of Regional Training (year round sites)	March 14 – April 1, 2011
Implementation of Supplemental Instructional Support	April 4, 2011
Presentation of Progress Update #1 (year round sites)	May 6, 2011
Implementation of Regional Training (summer sites)	July, 2011
Implementation of Supplemental Instructional Support	July, 2011
Presentation of Progress Update #1 (summer sites)	August, 2011
Presentation of Progress Update #2 for all sites	October, 2011

## SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

### 2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.

### 2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

#### 2.2.1 Agreement with Requirement in listed in Section One.

The Respondent must explicitly acknowledge understanding of the general information presented in Section One and agreement with any requirements/conditions listed in Section One.

#### 2.2.2 Summary of Ability and Desire to Supply the Required Products or Services

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section 2.4 of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

#### 2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-mail address, if that contact is different than the individual authorized for signature.**

#### 2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the IDOE of any changes in any address that may have occurred since the origination of this solicitation. The Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

#### 2.2.5 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

### 2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as "optional."

#### 2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State's successful acquisition of the products and/or services requested in this RFP.

#### 2.3.2 Respondent's Company Structure

The legal form of the Respondent's business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or services in the United States must be described in more detail than other components of the organization.

#### 2.3.3 Company Financial Information

This section must include the Respondent's financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must demonstrate the Respondent's financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company,

additional financial information should be provided for the entity/organization directly responding to this RFP.

#### 2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

#### 2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment A. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment A.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Authority to Bind Contractor
- Duties of Contractor, Rate of Pay, and Term of Contract
- Compliance with Laws
- Drug-free Workplace Provision and Certification
- Funding Cancellation
- Indemnification



- Governing Laws
- Non-discrimination clause
- Payments
- Penalties/Interest/Attorney's Fees
- Non-collusion and Acceptance
- Information Technology \*Only mandatory when contract is for IT products or services

Any or all portions of this RFP and any or all portions of the Respondents response may be incorporated as part of the final contract

#### 2.3.6 References

The Respondent must include a list of at least two (2) clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

#### 2.3.7 Registration to do Business

Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm> .

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of

Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder.

Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, [aredding@idoa.in.gov](mailto:aredding@idoa.in.gov), or you may reach her by phone at (317) 234-3542.

#### 2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

#### 2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's

form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority or Women Owned Business under IC 4-13-16.5-1. See Section 1.21 and Attachment A for Minority and Women Business information.

## 2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given. The same outline numbers must be used in the response. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State.

The technical proposal must be divided into the sections described below. Every point made in each section must be addressed in the order given. The same outline numbers presented in the RFP must be used in the vendor's response. The narrative portion of the Technical Proposal must be double-spaced, with no smaller than one-inch margins and may not exceed 25 pages. Font must be 12-point Times New Roman.

### 2.4.1 Application Cover Page

The vendor must attach a cover page, which serves as the first page of the Technical Proposal. The Cover Page must include the name of the vendor and the name of the main contact person, as well as the mailing address, phone number and e-mail address for the main contact person.

### 2.4.2 Technology-Based Supplemental Instruction Plan

The Indiana Department of Education (IDOE) requires that the following components be included in each vendor's proposal in order to ensure the success of the project:

- provision of hardware, preferable in a net book format, with accessories including a mouse;
- provision of educational software to address the English language development and English/ language arts content remediation needs of migrant students;
- provision of regional training around the state on hardware and software usage;
- culturally and linguistically appropriate support for users in regard to training and implementation; and

- provision of a method of tracking individual students' progress on the educational software modules.

More detail regarding each component is provided below.

- a. Describe the main elements of the vendor's technology-based supplemental instruction plan and explain the research upon which it is based. Include all necessary research citations.

#### **Hardware**

The preferred hardware for this project is a net book format which will maximize portability and ease of use by migrant students. Approximately 250 units of hardware are estimated for this project. The hardware should include accessories include a mouse. Integrated internet access, limited to usage on educational websites, is preferred. Internet filtering must also be included to safeguard the participants.

#### **Software**

The content of the educational software that is pre-loaded onto the hardware must meet the following requirements:

- grade level appropriate,
- linked to Indiana Academic Content Standards in English/language arts,
- focused on English language development in the areas of listening, speaking, reading, writing, and comprehension,
- student centered activities that build skills in an interactive, engaging manner, and
- pre-assessment of skill and post-assessment to measure progress

- b. Explain the specific ways that the vendor's program provides English/language arts skill development linked to the Indiana Academic Standards available at <http://dc.doe.in.gov/Standards/AcademicStandards/index.shtml>. Provide examples of the specific standards addressed by the program content.
- c. Explain the specific ways that the vendor's program provides English language development across the language domains (listening, speaking, reading, writing, and comprehension).
- d. Explain how the vendor's program is academically, linguistically, and culturally appropriate for the migrant student population and aligns to the purpose of the Title I, Part C Migrant Education Program.
- e. Describe the vendor's capacity to provide regional training to students and parents on the program usage and content and capacity to provide appropriate user support.

#### **Training**

Each proposal must account for the provision of a training to orient migrant students and their parents to the usage of the hardware and software and the content of the software. This training is essential to build students' and

parents' awareness of the importance of this supplemental instructional opportunity, providing guidance on how the software can most effectively be used, and explaining how student progress will be evaluated. Only those migrant students whose parents attend the training session will be included in the hardware distribution. This training must be conducted regionally at approximately fifteen sites and must account for the linguistic needs of migrant parents who may be monolingual Spanish speakers.

The following table is a breakdown, by school corporation, of the current count of eligible migrant students in grades K-8. This chart is intended to provide a geographic representation of the areas of the state that would be participating in this project and that would need training and user support. Please note that this is only an *estimate* of K-8 that will be participating in this project could change dramatically by or during the time of the project implementation based on a number of variables such as mobility, weather, the agricultural season, economy, etc.

Based on these factors, the IDOE anticipates serving approximately 250 migrant students in grades K-8 through this program.

<b>School Year 2010-11 Title I, Part C Migrant Education Project Sites</b>	
<b>School Corporation</b>	<b># of K-8 Migrant Students</b>
Alexandria CSC	100
Bartholomew CSC	13
CS of Frankfort	15
Delphi CS	14
Elwood CS	46
Goshen CS	14
Logansport CS	35
Marion CS	15
North White	14
Plymouth CSC	29
South Adams	48
South Bend CSC	24
Tri-Central CS	18
West Noble SC	10
<b>Total</b>	<b>393</b>

The training may be implemented in phases as indicated on the timeline in Section 1.23 based on the enrollment dates of migrant students in each school corporation. The training may be implemented in Spring 2011 at year round sites with migrant students with less recent mobility, and in Summer 2011 at summer sites with migrant students with recent, summer mobility.

### **Appropriate User Support**

It is important that migrant students and parents be appropriately supported in their implementation of this project. Each proposal must provide for culturally and linguistically appropriate support for users in regard to training and implementation. This could include, but is not limited to bilingual Spanish speakers to provide training and orientation; and the availability within the software activities to listen to instructions in Spanish and provide vocabulary words in Spanish. The support would include assistance for parents in the event that troubleshooting is needed.

#### **2.4.3 Assessment Plan**

- a. Describe how the vendor's program has been effective in leading to increased student performance and the ways in which student learning is measured across the various components of the program. Evidence of pre-assessment and post-assessment features to determine students' skill levels should be described.

##### **Monitoring Student Progress**

Evaluating students' educational progress and improvement based on their usage of the software and participation in this project is critical. Each proposal must include a method of conducting a pre-assessment of skill and post-assessment to measure progress. Student performance data must be made accessible to the project administrator and to the Indiana Department of Education.

- b. Describe the methods and timelines that the vendor will use to provide periodic reporting to the Indiana Department of Education on students' progress. Explain how the students' results will be reported to IDOE in an understandable format.

#### **2.4.4 Quality of Project Personnel**

- a. Provide a description of the vendor's project personnel who will contribute to the successful implementation of the technology-based supplemental instruction program as described in Section 1. Include a resume for each team member or consultant as an appendix.
- b. Describe how the qualifications of project personnel will enable the program to be successful. Address the experience and background of all project personnel.

#### **2.4.5 Collaboration with IDOE and participating students**

- a. Describe how the vendor will collaborate with IDOE for program planning, implementation, and evaluation.

#### 2.4.6 Compliance with FERPA

- a. Provide an explanation of how the vendor will maintain compliance with confidentiality requirements set forth in FERPA. The explanation should include the vendor's acknowledgement regarding the importance of keeping student information confidential.

#### 2.4.7 Vendor Project Management

- a. Describe how the main contact person will manage the program implementation. Include an explanation of quarterly management meetings between the vendor and IDOE to review implementation and student outcomes.

### 2.5 COST PROPOSAL

The baseline cost for this RFP is \$500,000. Proposals should include a breakdown of all costs, including but not limited to the portion of vendor salaries being funded, equipment, training, user support, mailings, supplies, travel, etc., as well as the overall cost.

### 2.6 INDIANA ECONOMIC IMPACT

All companies desiring to do business with state agencies must complete an "Indiana Economic Impact" form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state.

### 2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY

It is the Respondent's responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business' status. The registration process should be complete at the time of proposal submission.

#### **Defining an Indiana Business:**

"Indiana business" refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to

- residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.

Respondents claiming this status must indicate which of the provisions above qualifies them as an Indiana business. They must also fully complete the Indiana Economic Impact Form (Attachment C) and include it with their response.

The following is the policy concerning items 4 & 5 described below. Appropriate documentation must be provided with your proposal response supporting either claim made below:

- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

**Substantial Capital Investment:**

Any company that can demonstrate a minimum capital investment of \$5 million or more in plant and/or equipment or annual lease payments of \$2.5 million or more shall qualify as an Indiana business under category #4. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

**Substantial Indiana Economic Impact:**

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under category #5. If a Respondent needs assistance in determining if its business qualifies under this criterion, please send an email inquiry to [buyindianainvest@idoa.in.gov](mailto:buyindianainvest@idoa.in.gov) and you will receive a response within forty-eight (48) hours. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.



## **SECTION THREE PROPOSAL EVALUATION**

### **3.1 PROPOSAL EVALUATION PROCEDURE**

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The IDOE will, in the exercise of his sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by the Indiana Department of Education for further action, such as contract negotiations. If, however, IDOA and Indiana Department of Education decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOE may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

### **3.2 EVALUATION CRITERIA**

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The points associated with each category are indicated following the category name (total maximum points = 100). Negative points may be assigned in the cost score. Additionally, there is an opportunity for a bonus of five points if certain criteria are met. For further information, please reference Section 3.2.3 below. If any one or more of the

listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible with applicable federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.

***Summary of Evaluation Criteria:***

<b>Criteria</b>	<b>Points</b>
1. Adherence to Mandatory Requirements	<b>Pass/Fail</b>
2. Business Proposal	<b>15 points</b>
3. Technical Proposal	<b>60 points</b>
4. Price (Cost Proposal)	<b>10 points</b>
5. Indiana Economic Impact	<b>5 points</b>
6. Buy Indiana	<b>5 points</b>
7. Minority (10) and Women Business (10) Subcontractor Commitment	<b>5 points</b>
<b>Total</b>	<b>100 points</b>

All proposals will be evaluated using the following approach.

**Step 1**

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

**Step 2**

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 75 points if certain criteria are met. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions focused on cost and other proposal elements.

### Step 3

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

#### 3.2.1 Adherence to Requirements – Pass/Fail

Respondents passing this category move to Phase 2 and proposal is evaluated for Management Assessment/Quality and Price.

#### 3.2.2 Business Proposal - **15** points

#### 3.2.3 Technical Proposal – **60** points

Within the technical proposal, the scoring points will be assigned as followings:

Cover (2.4.1) – 2 points

Technology-Based Supplemental Instruction Plan (2.4.2) – 25 points

Assessment Plan (2.4.3) – 18 points

Quality of Project Personnel (2.4.4) – 5 points

Collaboration (2.4.5) – 3 points

FERPA (2.4.6) – 5 points

Management (2.4.7) – 2 points

#### 3.2.4 Price – **10** points

Price will be measured against the State’s baseline cost for this scope of work. The cost that the State is currently paying or its best estimate will constitute the baseline cost. Cost scoring points will be assigned as follows:

- Respondents who meet the State’s current baseline cost will receive zero (5) cost points.
- Respondents who propose a 10% decrease to the State’s current baseline cost will receive all of the available cost points.

#### 3.2.5 Indiana Economic Impact - **5** points

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE’s) Indiana resident employees for the Respondent’s proposal (prime contractor and subcontractors) will be used to evaluate the

Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 15 points. Points will then be awarded to the remaining Respondents proportionately.

3.2.6 Buy Indiana Initiative – **5** points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will receive 10 points in this category.

3.2.6 Minority & Women's Business and Subcontractor Commitment - **5** points

The following formula will be used to determine points to be awarded:

The commitment factor for each proposal will be calculated by multiplying the commitment percentage by one hundred. The RFP score ratio will be determined by dividing the maximum allowable points by the highest commitment factor. The proposal with the highest commitment factor will be given the maximum allowable points. The points awarded to the other proposals will be calculated by multiplying the score ratio by the proposed commitment factor.

Commitment percentage \* 100 = commitment factor

Maximum allowable points/highest commitment factor = score ratio

Commitment factor \* score ratio = points awarded

The Commissioner of IDOE or his designee will, in the exercise of his sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.